

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA		
Plaintiff,	§	CIVIL ACTION No.: 08-cv-00192
v.		DEFENDANTS' UNOPPOSED MOTION TO
	§	EXTEND TIME TO FILE AN ANSWER
0.17 ACRES OF LAND, MORE OR LESS, SITUATED IN		JUDGE: HON. ANDREW HANEN
HIDALGO COUNTY, TEXAS AND VELMA E.	§	
FLORES, ET AL.		
Defendants.	§	

DEFENDANTS' UNOPPOSED MOTION TO EXTEND TIME TO FILE AN ANSWER

Defendants hereby move to extend the time to file an Answer in the above-entitled action. Defendants have notified Plaintiff that they will waive service of process. Defendants' Answer is presently due on August 26, 2008. Defendants hereby request a one-week extension to file an Answer pursuant to Federal Rule of Civil Procedure 71A(e) on or before September 2, 2008. On August 25, 2008, counsel for Defendants requested said extension with Assistant United States Attorney Kevin C. Aiman. On August 26, 2008, Ernest A. Buford of the U.S. Attorney's Office informed Plaintiff's counsel that he did not oppose the request

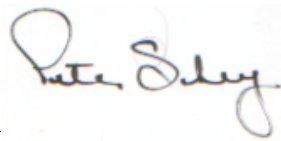
for an extension. *See* Declaration of Christopher Scherer. This extension is needed to better evaluate whether Defendants would be better served by local counsel. This motion is accompanied by a proposed Order.

Dated: August 26, 2008

Respectfully submitted,

Peter A. Schey (Cal Bar #58232)
Center for Human Rights and Constitutional Law
256 S. Occidental Blvd.
Los Angeles, CA 90057
Telephone: (213) 388-8693, ext. 304
Facsimile: (213) 386-9484

James Harrington (Tex. Bar #09048500)
Corinna Spencer-Scheurich (Tex. Bar. # 24048814,
Fed. No. 619913)
South Texas Civil Rights Project
P.O. Box 188
San Juan, Texas 78589
Telephone: (956) 787-8171
Fax: (956) 787-6348

A handwritten signature in blue ink, appearing to read "Peter Schey", is positioned above the typed name.

By
Peter Schey

By _____-s-_____
Corrina Spencer-Scheurich
Attorneys for Defendants

Declaration of Christopher Scherer

1. I am a staff attorney with the Center for Human Rights and Constitutional Law, counsel for Defendants in the above-entitled action.

2. On August 26, 2008, I contacted Assistant United States Attorney Kevin C. Aiman to request an extension of time to file an Answer to Plaintiff's Complaint in Condemnation in the above-entitled action until September 2, 2008.

3. The next day, Ernest A. Buford of the U.S. Attorney's Office informed me that he had no objection to this request.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 26th day of August, 2008, at Los Angeles, California.

_____/s/_____
Christopher Scherer

PROOF OF SERVICE

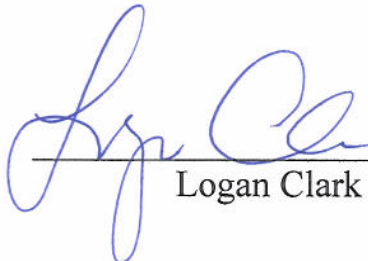
I, Logan Clark, declare and say as follows:

1. I am over the age of eighteen years and am not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 256 S. Occidental Blvd., Los Angeles, California, 90057, in said county and state.

2. I hereby certify that a true and correct copy of the foregoing DEFENDANTS' UNOPPOSED MOTION TO EXTEND TIME TO FILE AN ANSWER was served via the District Court's electronic filing system on this 26th day of August, 2008 to the following counsel:

Ernest A. Buford
U.S. Attorney's Office
919 Milam St.
Houston, Texas 77002
ernest.buford@usdoj.gov

I declare under penalty of perjury that the foregoing is true and correct.
Executed this 26th day of August, 2008, at Los Angeles, California.



Logan Clark